

# Town of Los Altos Hills

## City Council Regular Meeting Minutes

Thursday, April 26, 2007  
Council Chambers, 26379 Fremont Road

### CALL TO ORDER, ROLL CALL, AND PLEDGE OF ALLEGIANCE

Mayor Warshawsky called the City Council Regular Meeting to order at 6:30 p.m. in the Council Chambers at Town Hall.

Present: Mayor Dean Warshawsky, Mayor Pro Tem Craig A.T. Jones, Councilmember Breene Kerr, Councilmember Jean Mordo and Councilmember Mike O'Malley

Absent: None

Staff: City Manager Carl Cahill; Public Works Director/City Engineer Henry Louie, Administrative Services Director Sarah Ragsdale, Planning Director Debbie Pedro, Project Planner Leslie Hopper, City Attorney Steve Mattas, and City Clerk Karen Jost

Council adjourned to Closed Session at 6:33 p.m.

### CLOSED SESSION

#### CONFERENCE WITH REAL PROPERTY NEGOTIATORS

(Pursuant to Government Code Section 54956.8)

Property: APN 182-52-009 (Town-owned property on Story Hill Lane)

Agency Negotiators: Carl Cahill and Steve Mattas

Under Negotiation: Terms of Sale

#### CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

(Pursuant to Government Code Section 54956.9(a))

Carranza et al v. Friends of Westwind et al.

### PUBLIC SESSION

Council reconvened to Open Session at 7:05 p.m.

City Attorney Steve Mattas reported out of Closed Session the following actions by Council:

Closed Session Item 1. Conference with Real Property Negotiators:

The Council voted unanimously (5-0) to authorize the City Manager to list the property for sale; sales price to be determined by the City Manager and sales agent in accordance with market conditions with a minimum sales price no less than 1.7 million dollars.

Closed Session Item 2. Conference with Legal Counsel-Existing Litigation:  
No reportable action.

MOTION SECONDED AND CARRIED: Moved by Jones, seconded by Mordo and passed unanimously to limit comments from the floor to two minutes.

## APPOINTMENTS AND PRESENTATIONS

### 1. Presentation of Certificates of Appreciation for Edith Park Beautification Project

Mayor Warshawsky presented Certificates of Appreciation to Karen Druker, daffodil bulb donor, and planting volunteers Ellie Vanderlip, Lexie Kirsch, Molly Vanderlip, Elaine Lee, Marie Starksen, Scott Vanderlip and staff member Robert Ormonde. Over 4,000 donated bulbs were planted in late December by the young volunteers with the assistance of Ormonde and project organizer Scott Vanderlip. The bulbs bloomed in early spring adding a burst of color to the Edith Park entrance to Los Altos Hills.

### 2. Appointments to Standing Committees:

#### Standing Education Committee:

MOTION SECONDED AND CARRIED: Moved by Kerr, seconded by Jones and passed unanimously to appoint the following applicants to the Standing Education Committee for a term of four years: Dr. Bart Carey, Mary Gavillan, John Radford and Eric Ramberg.

#### Standing Open Space Committee:

MOTION SECONDED AND CARRIED: Moved by Mordo, seconded by Jones and passed unanimously to appoint the following applicants to the Standing Open Space Committee for a term of four years: Roger Spreen, Patty Ciesla, Nancy Couperus, Mary Davey and Jean Struthers.

#### Standing Pathways Committee:

Council briefly interviewed the applicants in attendance. Selected for appointment to the Standing Pathways Committee by Council ballot vote were the following: James Bliss, Ginger Summit and Chris Vargas. All appointments were for a term of four years.

#### Standing Westwind Community Barn Committee:

Councilmember Mordo announced that due to rescheduling of the committee's meeting time, former member Jeanne Seeley, Supporters of Westwind Board Member, would now be able to attend the meetings and has requested reappointment. He explained that she had previously been appointed by Council and conceded her membership to Collette Cranston when there was a scheduling conflict with her required regular attendance at the meetings. Cranston was in concurrence with Seeley's re-appointment to the committee and agreed to secede her seat on the committee.

Council consensus was to concur with the request for reappointment.

MOTION SECONDED AND CARRIED: Moved by Mordo, seconded by Jones and passed unanimously to appoint Jeanne Seeley and Kathy Evans to the Westwind Community Barn Committee for a term of four years.

### CONSENT CALENDAR

Item Removed: Item 11 (Kerr), Item 7 (Warshawsky abstained due to a potential conflict of interest)

MOTIONED SECONDED AND CARRIED: Moved by Mordo, seconded by O'Malley and passed unanimously with Mayor Warshawsky abstaining from item 7 to approve the remainder of the consent calendar, specifically:

3. Approval of Minutes: Regular City Council Meeting – March 22, 2007  
Special City Council Meeting – March 22, 2007
4. Review of Disbursements: 03/15/2007 – 04/16/2007 \$637,089.21
5. Monthly Financial Report
6. Investment Report for the Quarter ended March 31, 2007
7. Approval of Final Map, Subdivision Improvement Agreement, and Open Space Agreement; Lands of the Schoening-Sheikholeslam Trust (Formerly Lands of JFLP Partnership), 27361 Altamont Road. File #200-04-IS-ND-TM-GD  
Resolution No. 15-07
8. Grant of Pathway Easement; Lands of Lizaur, 11571 Buena Vista Drive  
Resolution No. 16-07
9. Grant of Public Access Easement; Lands of Klein, 26063 Todd Lane  
Resolution No. 17-07
10. Approval of Resolutions Authorizing the Filing of Applications for Federal STP, CMAQ and TDA Funding and Committing the Necessary Non-Federal Match for the El Monte Road Bicycle/Pedestrian Path Project and Stating the Assurance of the Town of Los Altos Hills to Complete the Project  
Resolution No 18-07 and Resolution No. 19-07
12. Award of Contract: Storm Drainage System at 13015 Robleda Road  
Resolution No. 20-07
13. Approval of Sanitary Sewer Reimbursement Agreement between the Town of Los Altos Hills and Ashok Sinha and Rekha Sinha – Resolution No. 21-07

Item Removed:

11. Acceptance of Speed Study and the Establishment of Speed Limits on Certain Streets

Councilmember Kerr requested clarification of the speed posting on Page Mill Road

Council briefly discussed the report and findings of the traffic engineer and consensus was to accept the speed study prepared by Traffic Data Service.

MOTION SECONDED AND CARRIED: Moved by Jones, seconded by Mordo and passed unanimously to approve Resolution No. 22-07 "Establishing Posted Speed Limits on Certain Streets"

PRESENTATIONS FROM THE FLOOR

Zoe Holtz, resident, with the assistance of her father, asked the Council if it was "ok" for her to have a lemonade stand in her neighborhood.

City Attorney Steve Mattas explained that with the exception of the sale of agricultural products produced on resident's property; sale of merchandise/goods was prohibited by the Town's Codes. Mattas offered that there were concerns about traffic and safety. He noted that historically, the Town did not enforce the code with respect to lemonade stands.

Council consensus was to support her request with the stipulation that it be done in a safe manner.

Kathy Evans, resident, commented that she had meet with the Town's new Parks and Recreation Supervisor Eric Christensen and had a glowing report to share with Council. She was very excited about his approach to the Town's programs and recreation and was looking forward to working with him.

Resident, spoke to his dissatisfaction with the current state of the roads in Los Altos Hills.

Council advised the speaker that approximately \$750,000 to \$1 million was annually budgeted for road maintenance.

Chris Vargas, Pathways Committee member, reported on the recent Earth Day activities in Town. Pinewood School and BCS students had committed to picking up litter along the Town's trails. On April 18<sup>th</sup> 65 Pinewood eighth grade students picked up liter on approximately 24 miles of the Town's pathways. The students were deployed on the trails for over 5 hours and earned community school credit for their efforts. Due to rain, the BCS event had to be re-scheduled to June 8<sup>th</sup>. Vargas noted that between the volunteer commitments of the two schools, approximately 65 miles of pathways would be cleared of litter. He requested Council consider recognize the two schools for their volunteer efforts.

Irena Halsey, resident, suggested the Council consider investigating the issue of open storm drains in Town. She voiced her concern that the storm drains were potentially dangerous to small children and encouraged the Council to engage in a study on the situation.

Nancy Couperus, Open Space Committee member, reported that the Earth Day celebration at Westwind Barn had been very successful. Numerous agencies and Town Committees had participated in the event. She thanked Council and the volunteers for their support.

## PUBLIC HEARING

14. Los Altos Hills General Plan Update: Proposed amendments to the General Plan include an updated Introduction, Conservation Element, and Open Space and Recreation Element. The updated sections have been developed by the General Plan Ad Hoc Update Committee as part of the Town's 2007 General Plan Update project. (Staff-Leslie Hopper)

Mayor Warshawsky introduced the Public Hearing. He made a brief statement clarifying the subject matter under consideration. Warshawsky spoke to the misinterpretation of the General Plan update and mis-statements that had been circulating in recent weeks. He advised the audience that Council had no intentions of making sweeping changes to the document. The General Plan represented the guiding principles of the Town but not the ordinances and the updates would not impose any new requirements nor relax any current ordinance requirements.

Warshawsky offered an overview of the process that had been followed to update the General Plan. Councilmember Mike O'Malley had been unanimously appointed by the Council to Chair the State mandated update. Council had given clear direction to the Ad Hoc committee to comply with State law and update the document's language and formatting; and, make any needed corrections to the outdated and incorrect references. Council did not charter the Ad Hoc Committee to make any fundamental changes to the General Plan.

Mayor Warshawsky thanked Councilmember O'Malley for his leadership on the project and deferred to Councilmember O'Malley for comments.

Councilmember O'Malley reiterated that the charter of the Committee, as mandated by the Council, was to: 1) correct errors and revise outdated references in the document; and, 2) revise the language and formatting of the Elements to provide consistency throughout the document. Much of the text had not been revised since 1975 and the Committee's goal was to bring uniformity to the language and formatting of the document. It appeared that several of the Elements had been prepared on a typewriter. O'Malley offered the inclusion of language about the quarry and the three public schools in Town as examples of outdated references and errors that the Ad Hoc Committee had addressed.

O'Malley restated Warshawsky's statement that no changes to the basic principles of the General Plan were being suggested by the Ad Hoc General Plan Committee. The Ad

Hoc Committee had followed a two-step process in revising the elements. First, the documents were modified to produce a more accurate, legible and reproducible document. Second, the goals, policies and programs were reviewed to ensure that they were relevant and appropriate. Affected Standing Committees were asked to review and comment on the draft elements and based on their recommendations, several new policies and programs were added. Their recommendations were identified and highlighted in the document before Council.

O'Malley noted that the draft elements had been twice reviewed by the Planning Commission during public hearings and were now scheduled before Council as a public hearing. If the Council should so choose, the final step would be to codify the document as an ordinance.

Councilmember O'Malley reviewed the Ad Hoc Committee's membership and meeting schedule. The broad-based Committee was composed of six members, including current and former members of the City Council and Planning Commission. Both the Civic Association and Hills 2000, community based organizations, were represented on the Committee. The group had been meeting twice a month for approximately eighteen months to update the existing elements of the Town's General Plan. He noted that the Committee was generally in consensus on the language and revisions.

O'Malley thanked consultant Leslie Hopper and Planning Director Debbie Pedro for their assistance during the lengthy review process. He noted that Hopper's expertise in writing a General Plan was very beneficial and credited her with much of the format of the draft document before Council.

O'Malley explained that one of the changes that the Committee had agreed upon was when appropriate and applicable replacing the word "should" with "shall." This was done when changes to the Town's code had already been approved and the new language would reflect what was currently in practice.

O'Malley explained that Council was now seeking public input on the draft document. He deferred to Planning Director Debbie Pedro for introduction of Project Planner Hopper. Pedro introduced Leslie Hopper.

Hopper thanked the City Council for the opportunity to introduce Phase I of the General Plan Update. She offered that the General Plan was an important document that provided a blueprint for the Town's future and was a long range guide for the Town's development. Its purpose was to set out the goals, policies and programs adopted by the City Council. Hopper noted that the General Plan was often referred to as a "local constitution" and provided the legal foundation for zoning, site development and subdivision ordinances. The State requires every City to have a General Plan. The Town has had a General Plan since 1959 with the majority of the current General Plan adopted in 1975.

Hopper explained that the General Plan Update had been divided into two Phases. Phase I included the Conservation Element, Open Space Element and Recreation Element and Phase II included the Land Use Element, Safety Element and Noise Element. The

Pathways Element, Circulation and Scenic Highways Element, and Housing Element were the most recently updated sections and were currently not included in the update project.

Hopper identified the participants of the Phase I update. They included: members of the Ad Hoc General Plan Committee, Environmental Design and Protection Committee, Open Space Committee, Parks and Recreation Committee, and, the Purissima Hills Water District. Suggestions for additional policies and programs had been submitted by the Standing Committees and for ease of reference, they were highlighted in the draft document before Council.

Councilmember Kerr, for clarification, noted that several of the policy additions were applicable because they reflected current ordinances. Hopper concurred and noted that updated policies and programs already approved and implemented by the City Council had been added. An example of a policy in place that was added to the draft General Plan was the solar ordinance.

Councilmember Mordo requested clarification on when changes to the General Plan would be made in the process. Councilmember O'Malley offered that the General Plan Committee had considered the feasibility of a Phase III to the update to implement changes, but given the length of time it had taken to complete the current draft, it was suggested that the few minor changes that had been tendered by the Committees and Planning Commission be considered at this time. O'Malley noted that suggestions from public input could also be considered.

Hopper reviewed the process for Council consideration of the draft document during the Public Hearing. The three main sections would be reviewed individually with an opportunity for public comment and Council discussion. The three sections included: the Introduction, Conservation Element, and the Open Space and Recreation Element.

Hopper outlined each section. Changes to the Introduction included the addition of photographs, improved graphics and document formatting that would be consistent throughout the General Plan. The Conservation Element had sections updated with the inclusion of policies and programs already approved by Council but not part of the original 1975 General Plan. The draft Conservation Element also included new policies and programs recommended by Committees in the areas of "Creeks and Riparian Corridors", "Trees and Plants", and "Wildlife Species and Habitat." The language before the City Council had been modified from the earlier recommendation of the Open Space Committee and reviewed by the Planning Commission. Earlier recommendations to include references to wildlife corridors and fencing in the Element had been removed. The Open Space and Recreation Element was the third section for Council consideration. The main topic to be addressed in the Element was Open Space Easements. Hopper noted that the 1975 General Plan included language which has been implemented by the Town through the requirement of Conservation and Open Space Easements. The

proposed language in the draft Element was a clarification and articulation of the Town's current policies. The draft Recreation Element included proposed language regarding the acquisition and development of new parks and recreation areas. Hopper noted that this was consistent with the City Council's approved goals.

Mayor Pro Tem Jones thanked the Ad Hoc Committee, staff, and Councilmember O'Malley for their efforts. He noted that the product before Council was modern and easy to read, and though the update was driven by the State requirement, it had been a healthy exercise for the Town.

Councilmember Kerr requested clarification on the language regarding the protection of wildlife. Planning Director Pedro explained that the Town's current requirement of open space easements along creeks and riparian corridors was added to the draft document as well as Council's approval of a wildlife biologist to inventory wildlife habitat areas.

City Attorney Steve Mattas summarized the staff's recommendation for Council review of the Update that included: the separate review of each section; public testimony of each section; and Council discussion. At the conclusion of each review, Council would have a straw vote (determination of consensus) to identify their support of the Element as written and provide direction. At the conclusion of the Public Hearing, Council would vote on the Elements and a resolution would be framed by the City Attorney to reflect the outcome of the vote. The alternate process would be to open the Public Hearing and take all comments and then hold the Council discussion and ultimate vote.

Warshawsky proposed that individuals that wished to speak on more than one section should limit their comments to 1 minute. There was no objection from the Council.

## INTRODUCTION

### OPENED PUBLIC HEARING

Dot Schriener, Ad Hoc General Plan Committee member, advised the City Council that the State requires the Town to address relevant issues as they apply to the community. The Ad Hoc Committee in the update process had carefully studied the 1975 General Plan document and garnered input from the Town's Standing Committees. They also acquired documents from a wide source of agencies and surrounding communities.

### CLOSED PUBLIC HEARING

Councilmember Kerr questioned why there was no mention of public education as a community goal. Council consensus was to add language that reflected the Town's support to promote public education in Town.

## CONSERVATION ELEMENT

### OPENED PUBLIC HEARING

Richard Johnson, resident, expressed his concern that the General Plan did not address the numerous contradictory requirements imposed by many governmental bodies regarding creek maintenance.



Richard Partridge, resident, commented that he was impressed with the General Plan update document and believed it clearly reflected why he had chosen to reside in Los Altos Hills. He believed it was important to include information regarding wildlife species and habitat in the document and felt the inclusion of the recommended language was important and suggested that the document would be weak in this area without it. Partridge did not believe that property rights would be impacted by the direction of the General Plan.

Paul Hybol, Portola Valley, spoke to the language regarding invasive plants. He encouraged the Council to approve the recommended comments and offered that the removal of non-natives was a proactive method of preventing fires.

Resident, commented that originally his property located by Purissima Creek had approximately 203 Eucalyptus trees and has removed 116 trees. He noted that his concern with wildlife used to be the threat of coyotes harming his cats. Officers from Santa Clara County Vector Control had explained their value in managing the rat population and he now brings his cats in at night and lives in harmony with the coyotes and raccoons that help to keep the rodent population in check.

Sandy Humphries, Environmental Design and Protection Committee, questioned why pampas grass had been deleted from the original list of invasive species. She encouraged the Council to add it to the list.

Sue Welch, Open Space Committee, read an excerpt from the Los Gatos General Plan. It reflected their incorporation of wildlife issues and their intrinsic value to the quality of the community's life and their protection of wildlife migration corridors and habitats requirements regarding development.

Allan Epstein, resident, stated that it was a misrepresentation to say that the highlighted statements were the only changes to the 1975 General Plan. He had attended both Planning Commission public hearings. Epstein offered that the recommendations by the Planning Commission to include a qualifier "as recommended by the State of California General Plan Guidelines" for Items 3.2 and 3.3 had not been included in the document before Council. He expressed his concern that the proposed language, as it was written, would affect ordinances and ultimately the rights of property owners.

Dan Seidel, Purissima Hills Water District Board member, thanked the Committee, Council and staff for the excellent work on the General Plan revision. He acknowledged the District Board's endorsement of the Water Resources sections in the Conservation Element.

Maria Caffey, resident, requested assurance from the City Council that no changes would be made to the fence ordinance. She equated the Town to suburbia on large lots and

suggested that the description of the Town as a rural environment was no longer applicable. She wanted to retain the right to fence her property for privacy and security and to protect her small dogs from wildlife. Caffey encouraged the Council not to "maintain a rural environment and wildlife corridors" at the expense of residents

seeking remodels. She referred to the requirement of removing Eucalyptus trees at the time of site development applications as an example.

Hugh Marsh, resident, expressed his concern about the long term direction of the General Plan was taking regarding wildlife corridors and fencing. The current 6 foot maximum height of a fence was not adequate in protecting his orchard against deer and he spoke to the possible necessity of obtaining a California Fish and Game permit for destroying deer. He suggested a more reasonable solution would be raising the fence height so that deer would not have to be destroyed.

Courtenay Corrigan, resident, commented that she loved the rural feel of Los Altos Hills but wanted to retain her right to fence her property and protect her children. She did not want any wild animals encroaching onto her property and wanted to ensure a safe environment for her family.

#### CLOSED PUBLIC HEARING

Council discussion ensued.

Mayor Pro Tem Jones noted that he had two questions. 1) He queried staff on Goal 3 Program 3.4 called out on page 7 of the Conservation Element which stated: "In reviewing proposed development that might **strongly** affect areas of significant wildlife habitat, such as creeks and riparian corridors, consider requiring a wildlife ecologist or other qualified professional to assess the potential effects of the project on wildlife habitat." Jones suggested that the language was too specific and read more like an ordinance. He questioned who would ultimately be responsible for paying for the wildlife ecologist's services. 2) Jones requested the definition of riparian.

Planning Director Pedro offered that the definition of riparian as defined in the State of California General Plan Guidelines was "the land and plants bordering a creek or waterway".

She added that the language identified by Jones was not meant to act like an ordinance and was not an absolute requirement but was to be "considered".

Jones offered that he believed the language was too specific and should be amended or stricken.

Kerr concurred that the language did seem specific and offered that he would be amenable to an amendment but did favor the inclusion of language that the Town recognized the intrinsic value of wildlife and recognized wildlife migration corridors.

Jones spoke to the recent Town survey on development that had confirmed that there was no community support for restricting fencing of property. Councilmember Mordo agreed and noted that the preliminary result of the survey had shown limited interest in changing development issues and clear opposition to changing the fence ordinance.

Following discussion, Council consensus was to strike Goal 3 Program 3.4.

## OPEN SPACE AND RECREATION ELEMENT

### OPENED PUBLIC HEARING

Toni Casey, resident, expressed her concern that there were differing interpretations on when it was appropriate to require (for development approval) an open space easement or conservation easement if a property had a 30% slope. She was of the opinion that the majority of residents did not believe it was fitting to require an open space easement or conservation easement with 30% slope. She concurred with the recommendation of resident DuBose Montgomery that had been proffered to the Planning Commission, to change the measurement to 30° which would equate to a 50% slope. Without the change, Casey offered that the document remained confusing and did not reflect the current lifestyle of Town residents nor the new refined methods for building on slopes. Casey did not believe there was any justification for a 30% slope requiring easement dedications. She suggested that this was an opportunity for the City Council to make a change and eliminate the confusion. Casey added that she was available to answer any questions with regards to the “Town Happenings Newsletter” and noted that her phone number was readily available.

Councilmember O'Malley clarified the requirement of an open space easement dedication as a condition of approval for development as called out in Program 1.2, was for properties in excess of 30% slope that were generally located in the designated Open Space Conservation Areas and was to protect steep slopes, canyons and ravines, as well as areas with Heritage oak trees or other environmentally sensitive areas along creeks and riparian corridors.

Janet Vitu, Ad Hoc General Plan Committee member, concurred with Casey that there often is confusion on the 30% slope requirement adding that as a Planning Commissioner, requests were often made for easements on properties that were not in the Town's designated Open Space Conservation Areas in the Land Use Diagram. She suggested that with the modernization of building technology there was little purpose in requiring the easements and suggested that this issue be addressed during the Land Use Element revision. Vitu added that the 30% number was arbitrary and in conversation with the Town's Geologists, he had suggested that the slope percentage was often not the determinant in the issue of safe construction on the site.

Dot Schriener, Ad Hoc General Plan Committee member, spoke to the current building requirements and seismic activity on slopes. She referenced the USGS study on slopes.

Council discussed the issue of open space easements. Pedro reviewed a PowerPoint slide of the 1973 Land Use Diagram that included the Open Space Conservation Area. Jones offered that the language in the General Plan update was less ambiguous and possibly less restrictive. Council agreed that during the Land Use Element review, a revisit of the discussion would be appropriate.

Carol Gottlieb, Ad Hoc General Plan Committee member, commented that even with the improved building technology, the problem with drainage issues remained.

Resident, suggested that there was no need for a blanket requirement for open space easements. He noted that during the building permit process, your application is reviewed for engineering solutions to the slope conditions on the property and he believed this was adequate.

Resident, suggested that the language about easement requirements was inconsistent, confusing and arbitrary. She encouraged the City Council to revisit the issue of slope.

Resident, unincorporated area within the sphere of influence of Los Altos Hills, explained that he was nearing completion of a remodel on his home. He questioned if his lower parcel that had a 30% slope could be approved for development adding that he paid parcel tax on the site and considered it a valuable piece of property. He expressed his concern that the draft changes could potentially impact the sales value of his property.

#### CLOSED PUBLIC COMMENT

Mayor Warshawsky requested clarification on where the 30% slope was mentioned in the Open Space Element. Hopper explained that it was only referenced on Page 10 Program 1.2 which stated "Continue to require the dedication of open space easements as a condition of approval for development of parcels in designated Open Space Conservation Areas in order to protect steep slopes, canyons and ravines, generally in excess of 30% slope, as well as areas with Heritage oak trees, or other environmentally sensitive areas such as along creeks and riparian corridors."

Warshawsky spoke to the public input and queried when it would be appropriate to discuss the flexibility to build on slopes or the issue of development area. It was suggested that it could be explored as an amendment to an ordinance. Jones suggested that it might surface during the discussion of the community survey. He was of the opinion that people living on slope properties were probably bearing a bit of the excess burden of maintaining the rural character of the Town versus people living on flat lots. Jones suggested that there was room for discussion on the subject in an ordinance scenario with opportunities for discussion at the Planning Commission and Council level. He was comfortable with the proposed language before them regarding slope in Program 1.2 and felt it was limited, better clarified and possibly less restrictive. Jones added that property values were a driving force in revisiting the development issues.

Councilmember Mordo reiterated that there were no substantial changes being proposed in the language. The language in the draft documents was more specific and clarified the issues. He concurred that the 30% was arbitrary but you needed to set limits somewhere. Mordo agreed that a discussion of when it applied would be of value and would be revisited during the review of the Land Use Element. Mordo added that no changes to the MDA/MFA were being discussed and offered that property values were high in Los Altos Hills and often protected by restrictions.

Council consensus was to accept the Open Space and Recreation Element as presented with no changes.

Kerr proffered language for the reference to public education to be added to the Introduction: "Los Altos Hills should continue to support public elementary schools and education programs within Los Altos Hills including the reintroduction of neighborhood public schools in the community." Council consensus was to approve the inclusion of the proposed language.

For clarification, City Attorney Steve Mattas advised that the language would be included in the Introduction as (21) Community Goal number 4.

MOTION SECONDED AND CARRIED: Moved by Mordo, seconded by Jones and passed by the following roll call vote to approve the Initial Study/Negative Declaration for the project.

AYES: Warshawsky, Jones, Kerr, O'Malley and Mordo  
NOES: None  
ABSENT: None  
ABSTAIN: None

MOTION SECONDED AND CARRIED: Moved by Mordo, seconded by Jones and passed by the following roll call vote to adopt Resolution No.23-07 to amend the General Plan and Adopt the Updated Introduction, Conservation Element and Open Space and Recreation Element with the following amendments: Introduction-the inclusion of Goal #4 regarding public education under (21) Community Goals as read into the record by Councilmember Kerr; Conservation Element- the addition of pampas grass in Policy 2.5 list of aggressive exotics and the deletion of Program 3.4 under Goal #3.

AYES: Warshawsky, Jones, Kerr, O'Malley and Mordo  
NOES: None  
ABSENT: None  
ABSTAIN: None

Mayor Warshawsky thanked the audience for their participation.

COUNCIL RECESSED AT 9:40 p.m.  
COUNCIL RECONVENED TO OPEN SESSION AT 9:50 p.m.

## PLANNING COMMISSION REPORT

Planning Director Debbie Pedro reported that the Planning Commission had met on April 5, 2007 and considered a two-lot subdivision. They had recommended Council approval of the project and it was currently scheduled for a public hearing at the May 10, 2007 Council meeting.

## UNFINISHED BUSINESS

### TOWN GOALS (15A-15F)

15A. Public Education: Bring Public Education Back to Los Altos Hills Accessible to Children of All Residents

Mayor Warshawsky summarized the recent activities of the Town's Negotiating Committee (John Radford, Bart Carey, Mayor Warshawsky). They have maximized their efforts to "broker" conversations between the Los Altos School District (LASD) and Bullis Charter School (BCS). The two parties have agreed to meet. The Town will not be included in the early discussions.

Warshawsky noted that the most recent LASD Board meeting had included discussions on attendance boundaries and advised that it would be beneficial to monitor the issue. Mayor Pro Tem Jones advised that this would be something that the new Education Committee would address.

Mayor Pro Tem Jones offered that he was looking forward to the initial meeting of the Education Committee. He reviewed the goals of the committee that included: 1) to monitor the rehabilitation of the Bullis campus and ensure that the \$11 million approved by voters via the passage of bonds was spent on the project 2) installation of a K-6 elementary school at the site as quickly as possible; 3) to monitor the intra district transfer policies and to examine the details of the Memorandum of Understanding agreement; 4) to review and monitor the attendance areas as defined by the Districts; and, 5) to encourage and support dialogue between LASD and BCS. Jones added that he was looking forward to the newly appointed members input and reflection on the outlined goals.

15B. Underground Utilities: Complete Pilot Projects and Assist Underground Assessment Districts

City Engineer/Public Works Director Henry Louie reported that the Pilot Projects were on schedule and the target completion date was October 2007.

15C. Sanitary Sewers: Update and Implement the Master Plan

Councilmember O'Malley reported that the Ad Hoc Infrastructure Committee had met and were working to identify four to five sewer main expansions that would be the most economically feasible and most beneficial projects for the Town. Their recommendations would be forwarded to Council.

15D. Wireless Communications: Continue to Improve Town Wide Cell Coverage

Planning Director Pedro reported that there was no change in the status of the existing project applications.

15E. Complete General Plan Review

No Report. General Plan Update reviewed as public hearing agenda item 14.

15F Develop Comprehensive Plan for Expanded Recreational Facility Access and Begin Implementation of Acquisitions

Mayor Pro Tem Jones reported that the Ad Hoc Committee on Recreation Field and Facility Investments had met twice and begun the process of prioritizing what is feasible and what is not regarding facilities. He noted that the recently conducted public opinion survey had proven to be a valuable guide in understanding residents' preferences and reviewing the allocation of resources. The most popular choice of residents was a park with a picnic area with the second choice identified as a soccer field (multi-purpose field) and an aquatic facility.

Jones explained, per the direction garnered from the survey, the Ad Hoc Committee was focusing their attention on three areas of investigation. They included: 1) Existing recreation facilities in Town, specifically the Little League fields on Purissima Road and Westwind Barn. Both facilities had been identified by Council as important community assets and would be included in the comprehensive recreation facilities budget with the amount yet to be determined. Funding options for the renovation of Westwind Barn were currently under discussion by the Westwind Community Barn committee and included the possibility of public and private shared funds for the work. The Ad Hoc committee was in concurrence that the Little League program that served approximately 150 Los Altos Hills families was an integral and significant component of recreation in the Town and a valued asset to the community. The committee planned to seek input from the Little League Association as to their needs for maintaining the asset and suggestions for areas of improvement; 2) New recreation facilities. The committee was in the earliest stages of understanding and examining the possibilities for a new facility that could include park land, a picnic area and multi-use field; and 3) The committee was reviewing the concept of a potential partnership with other agencies for shared facilities. Examples included possible partnership and use of Fremont Hills Club and Hidden Villa.

16. Status of Community Survey 2007

Planning Director Debbie Pedro advised Council that consultant Godbe Research was in the process of compiling the results of the recent telephone survey and they would be forwarded to the Planning Commission on May 3, 2007 and the City Council at the May 24, 2007 meeting.

NEW BUSINESS

None

REPORTS FROM COMMITTEES, SUB-COMMITTEES, AND COUNCILMEMBERS ON OUTSIDE AGENCIES

Councilmember Mordo reported that Friends of Westwind had voted to approve their new Bylaws. He offered that with the adoption of the revised Bylaws and approval of the

new Operating Agreement, the issue of governance, in the short term, had been resolved. The Westwind Community Barn Committee going forward would focus their energies on renovation of the facility.

Councilmember Mordo announced that Administrative Services Director Sarah Ragsdale had tendered her resignation and would be leaving the Town's employment at the end of May. He acknowledged her outstanding performance as a Finance Director and wished her well in her new endeavors.

Councilmember Kerr reported that the resolution adopted by Council earlier in the evening was a request for guaranteed funding from the MTC for the Foothill College portion of the Moody Road pathway project. The action would also reduce the Town's dollar "match" requirement.

### STAFF REPORTS

City Manager-None

City Attorney-None

#### 17. City Engineer: Traffic Safety Report on Blue Oak Subdivision

City Engineer/Public Works Director Henry Louie reported that he had been working with neighbors of the Blue Oak Subdivision to resolve their concerns. The project was currently under construction and had been reviewed by a consulting traffic Engineer. His findings were in concurrence with the staffs recommendations for the project. Louie advised that the color of the retaining walls would be modified to a dark earth tone.

#### 18. City Clerk-None

### COUNCIL INITIATED ITEMS

#### 19. Consideration of funding of the CHASE (Community Hope and Sober Events) Program-Mayor Warshawsky

Mayor Warshawsky introduced this item. He provided a brief report to Council on the request for sponsorship from CHASE noting that the City of Los Altos had donated \$5,000.00 as seed money for the events. Council had before them a report that included the Mission statement, purpose of the events, and background information on the organization.

Council discussion ensued. They concurred that it was a worthwhile project and suggested that it would be appropriate for them to support the project with \$2,500.00 and suggested that CHASE return to Council with a formal request for any additional funding during the budget process.

**MOTION SECONDED AND CARRIED:** Moved by Jones, seconded by Kerr and passed unanimously to contribute \$2,500.00 to CHASE for project start up funding and to



invite the organization to participate in the review process established by the City Council for grant funding.

### ADJOURNMENT

There being no further business, the meeting was adjourned by consensus of the Council at 10:30 p.m.

Respectfully submitted,

Karen Jost  
City Clerk

The minutes of the April 26, 2007 meeting were approved as presented at the May 10, 2007 Regular City Council meeting.